

Exhibit #1

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	
)	CRIMINAL NO. 1:12-CR-124
GILBERTO RAMOS.)	
)	The Honorable Gerald Bruce Lee
)	
Defendant.)	

CRIMINAL INFORMATION AND NOTICE
PURSUANT TO 21 U.S.C. § 851

The United States Attorney hereby files Notice and charges pursuant to Title 21, United States Code, Section 851, et seq., as required before trial or entry of a plea agreement of guilty, that the defendant, GILBERTO RAMOS, faces enhanced punishment under Title 21, United States Code, Sections 841 and 846, since he was previously found guilty on or about August 24, 1990, in the Superior Court of California, County of Los Angeles, Northwest Branch of: one count of felony Possession of Marijuana for Sale in violation of California Health & Safety Code § 11359. For that conviction, the defendant was sentenced to 180 days of incarceration and a 3 year term of felony probation. A copy of the certified conviction Order in the case is attached.

Neil H. MacBride
United States Attorney

By: /s/
Michael P. Ben-Ary
Assistant United States Attorney
Elizabeth N. Eriksen
Special Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of September 2012, I electronically filed the foregoing with the Clerk of Court using the CM/ECF, which will then send a notification of such filing (NEF) to the following:

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/s/
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REPORT - INDETERMINATE SENTENCE,
OR OTHER SENTENCE CHOICE

FORM CR 291

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

COUNTY

BRANCH NORTHEAST

11910007

PEOPLE OF THE STATE OF CALIFORNIA versus
DEFENDANT: 01) RAMOS, GILBERT

AKA:

☒ PRESENT
☐ NOT PRESENT

CASE NUMBER (2)

LA 004283 -A

AUG 24 1990

REPORT OF: ☐ DEATH SENTENCE
☐ INDETERMINATE SENTENCE
☒ OTHER SENTENCE CHOICEAMENDED
REPORT ☐

KIM B. ZOLAN, COUNTY CLERK

R. Ramirez

DATE OF HEARING AND DECISION

08-24-90

DEPT. NO.

NW B

REPORTER

MICHAEL FARRELL

CLERK

REPORTER

COUNSEL FOR PEOPLE

COUNSEL FOR DEFENDANT

PROBATION NO. OR PROBATION OFFICER

1. DEFENDANT WAS CONVICTED OF THE COMMISSION OF THE FOLLOWING FELONIES (OR ALTERNATE FELONY MISDEMEANORS):

☐ ADDITIONAL COUNTS ARE LISTED ON ATTACHMENT (NUMBER OF PAGES)

ADDITIONAL COUNTS ARE LISTED ON ATTACHMENT _____ (NUMBER OF PAGES)				FILED IN	DATE OF CONVICTION				CONVICTED BY				JURY TRIAL
COUNT	CODE	SECTION NUMBER	CRIME		MO	DAY	YEAR	JURY	TRIAL	JURY	TRIAL		
1	HS	11359	POSS MARIJ SALE	90	07	27	90				X		

2. MISDEMEANORS (IN ALL CASES IN U.S. MUST BE SPECIFIC COUNTS (usually § 11359-series) including WEAPON, GUN, LARGE AMOUNTS OF CONTROLLED SUBSTANCES, BAIL STATUS, ETC.):
For each count list enhancement(s) if any. DO NOT LIST enhancements charged but not found true or strikes under § 11352. DO NOT LIST TIME IMPROVED.
For indeterminate terms, report enhancements and time for them on the abstract.

Count	Enhancement	Year	Enhancement	Year	Enhancement	Year	Enhancement	Year	Enhancement	Year

3. MISDEMEANORS charged and found true FOR PRIOR CONVICTIONS OR PRIOR PRISON TERMS (usually § 11352-series) and OTHER:
List all enhancements based on prior convictions or other prison terms charged and found true. If 5 or more under the same section, report 5 for each enhancement (e.g., if 5 non-violent prior prison terms under § 11352(a) the § 11352(a) 5 term, DO NOT LIST enhancements not found true. Also enter how any enhancement not provided for in space 2. DO NOT LIST TIME IMPROVED.
For indeterminate terms, report enhancements and time for them on the abstract.

Enhancement	Year	Enhancement	Year	Enhancement	Year	Enhancement	Year	Enhancement	Year

4. ☐ Defendant was sentenced TO DEATH on county _____.
5. ☐ Defendant was sentenced to State Prison for an indeterminate term:
- A. ☐ For LIFE, or a term such as 15 or 25 years to life, WITH POSSIBILITY OF PAROLE on counts _____.
- B. ☐ For LIFE WITHOUT the possibility of parole on counts _____.
- C. ☐ For other term prescribed by law on counts _____ (Life Terms are on "A" and "B.")
6. ☐ Counts _____ are alternate felony/misdemeanors and were DEEMED MISDEMEANORS.
A term in jail ☐ was ☐ was not ordered.
7. ☒ For counts 1, the defendant was placed on FELONY probation.
- A. (1) ☐ Sentence pronounced and execution of sentence was suspended; or
(2) ☒ Imposition of sentence was suspended.
- B. Conditions of probation included ☒ Jail Time ☒ Fine
8. ☐ Other dispositions
- A. ☐ Defendant was committed to California Youth Authority.
- B. ☐ Proceedings suspended, and defendant was committed to California Rehabilitation Center.
- C. ☐ Proceedings suspended, and defendant was committed as a Mentally Disordered Sex Offender.
- D. ☐ Proceedings suspended, and defendant was committed as mentally incompetent.

NOTE 1: PURSUANT TO ARTICLE VI, SECTION 5 OF THE CALIFORNIA CONSTITUTION AND SECTION 68505 OF THE GOVERNMENT CODE, THE CHIEF JUSTICE REQUIRES THAT EACH SUPERIOR COURT SHALL COMPLETE THIS FORM FOR EACH INDETERMINATE SENTENCE TO STATE PRISON OR SENTENCE CHOICE OTHER THAN STATE PRISON.

NOTE 2: FOR DEATH SENTENCE OR INDETERMINATE SENTENCE, ABSTRACT OF JUDGMENT MUST ALSO BE PREPARED. IT IS NOT SENT TO THE ADMINISTRATIVE OFFICE OF THE COURTS (AOC).

NOTE 3: IF DEFENDANT IS SENTENCED ON BOTH DETERMINATE AND INDETERMINATE COUNTS, FORM DCL 290 OR 290.1 MUST BE PREPARED AND SENT TO AOC AS WELL AS THIS FORM (AND AN ABSTRACT FOR INDETERMINATE COUNTS THAT IS NOT SENT TO AOC).

DEPUTY SIGNATURE

G. Rodriguez

DATE

8-24-90

REPORT - INDETERMINATE SENTENCE
FORM CR 291Form Adopted by the
Judicial Council of California
Effective April 1, 1989

Comm. Ad. V § 6

DISTRIBUTION:

PINK COPY - COURT FILE

YELLOW COPY - EXCER

WHITE COPY - ADMINISTRATIVE OFFICE OF THE COURTS

3 P & S

Date
 HONORABLE

USURY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

24 199J
 MICHAEL F. KNELL
 S. G. F. L. D.

JUDGE *J. Anderson*
 Deputy Sheriff

DEPT.

Deputy Clerk
 Reporter

CASE NO.

L-04263-01

(Parties and counsel checked if present)

Counsel for People:

DEPUTY DISTRICT ATTY:

Counsel for Defendant:

CHARGE

PEOPLE OF THE STATE OF CALIFORNIA

VS

01 N HWS 6118:PT
 H11359

(BOX CHECKED IF ORDER APPLICABLE) X *330 917*

NATURE OF PROCEEDINGS

PES

☐ PUBLIC DEFENDER APPOINTED, D.P.D. ☐ IS SWORN AS THE ENGLISH/ ☐ OATH FILED PER SECTION 05540 GOVERNMENT CODE

☐ DUE TO CONFLICT OF INTERESTS, PUBLIC DEFENDER RELIEVED, PURSUANT TO PENAL CODE SECTION 057.2 GOVERNMENT CODE SECTION 31000

☐ ALTERNATE DEFENSE COUNSEL

☐ CRIMINAL PROCEEDINGS ADJOURNED/RESUMED

☐ DEFENDANT ORDERED DELIVERED TO DEPARTMENT OF CORRECTIONS PER SECTION 1203.00 PENAL CODE

☐ OR *11-27-90* MOTION, PROBATION AND SENTENCE ORDER/FURTHER PROCEEDINGS CONTINUED TO

☐ AT *9 A.M. IN DEPT.* ☐ SUPPLEMENTAL PROBATION REPORT (PROGRESS REPORT) ORDERED

☐ DEFENDANT PERSONALLY AND ALL COUNSEL WAIVE TIME FOR SENTENCING. ☐ DEFENDANT ORDERED TO RETURN

☐ PROBATION ORDER / PROCEEDINGS SUSPENDED SENTENCE IMPOSED AS FOLLOWS:

☐ IMPRISONED IN STATE PRISON FOR ☐ TERM PRESCRIBED BY LAW ☐ TOTAL OF ☐ YEARS ☐ MONTHS

☐ COURT SELECTS THE ☐ TERM OF ☐ YEARS FOR THE BASE TERM AS TO COUNT

☐ PLUS ☐ YEAR(S) PURSUANT TO PENAL CODE SECTION ☐ AS INDICATED IN BOX 80 BELOW

☐ COMMITTED TO CALIFORNIA YOUTH AUTHORITY, THE TERM OF IMPRISONMENT TO WHICH THE DEFENDANT WOULD

☐ HAVE BEEN SENTENCED PURSUANT TO SECTION 1170 PENAL CODE IS ☐ YEARS

☐ IMPRISONED IN LOS ANGELES COUNTY JAIL FOR TERM OF ☐ DAYS

☐ FINED IN SUM OF \$ ☐ PLUS ADDITIONAL FINE OF \$ ☐ (11372.5 HEALTH & SAFETY CODE) FOR A

☐ TOTAL FINE OF \$ ☐ PLUS \$ ☐ ASSESSMENT AND SURCHARGE (1454 PG & 76000GG), TO

☐ BE PAID TO COUNTY CLERK ☐ PAY RESTITUTION FINE IN SUM OF \$ ☐ PURSUANT TO SECTION 12037(b)

☐ GOVERNMENT CODE PAYABLE TO RESTITUTION FUND

☐ SENTENCE IS SUSPENDED

☐ PROBATION GRANTED FOR A PERIOD OF *3* YEARS ☐ PROBATION TO BE WITHOUT FORMAL SUPERVISION.

☐ *1* ☐ SPEND FIRST *110* DAYS IN COUNTY JAIL ☐ ROAD CAMP OR HONOR FARM RECOMMENDED.

☐ *2* ☐ WORK THROUGH PROGRAM RECOMMENDED. ☐ NOT TO BE ELIGIBLE FOR COUNTY PAROLE

☐ *3* ☐ FINED IN SUM OF \$ *100* ☐ PLUS ADDITIONAL FINE OF \$ *100* (11372.5 HEALTH & SAFETY CODE) TO

☐ BE PAID TO PROBATION OFFICER IN SUCH MANNER AS HE SHALL PRESCRIBE.

☐ MAKE RESTITUTION OF \$ ☐ TO THE VICTIM/RESTITUTION FUND PURSUANT TO SECTION 1203.04

☐ PENAL CODE IN SUCH MANNER AS THE PROBATION OFFICER SHALL PRESCRIBE. ☐ TOTAL AMOUNT OF RESTITUTION TO

☐ INCLUDE ☐ % SERVICE CHARGE AS AUTHORIZED BY SECTION 1203.1 P.C.

☐ PAY RESTITUTION FINE IN SUM OF \$ ☐ PURSUANT TO SECTION 12037(b) GOVERNMENT CODE PAYABLE TO

☐ PROBATION DEPARTMENT IN SUCH MANNER AS THEY PRESCRIBE. ☐ SAID FINE TO BE STAYED WHILE DEFENDANT PAYS RESTITUTION

☐ AND IF RESTITUTION IS PAID IN FULL, STAY SHALL BE PERMANENT.

☐ MINIMUM PAYMENT OF FINE/RESTITUTION TO BE \$ ☐

☐ NOT DRINK ANY ALCOHOLIC BEVERAGE AND STAY OUT OF PLACES WHERE THEY ARE THE CHIEF ITEM OF SALE

☐ NOT USE OR POSSESS ANY NARCOTICS, DANGEROUS OR RESTRICTED DRUGS OR ASSOCIATED PARAPHERNALIA, EXCEPT WITH VALID

☐ PRESCRIPTION, AND STAY AWAY FROM PLACES WHERE USERS CONGREGATE.

☐ NOT ASSOCIATE WITH PERSONS KNOWN BY YOU TO BE NARCOTIC OR DRUG USERS OR SELLERS.

☐ SUBMIT TO PERIODIC ANTI-NARCOTIC TESTS AS DIRECTED BY THE PROBATION OFFICER. SUCH TESTING TO BE SUSPENDED WHILE THE

☐ DEFENDANT IS IN CUSTODY, IS HOSPITALIZED, OR IS IN A RESIDENTIAL DRUG TREATMENT PROGRAM APPROVED BY PROBATION

☐ OFFICER.

☐ HAVE NO BLANK CHECKS IN POSSESSION. NOT WRITE ANY PORTION OF ANY CHECKS. NOT HAVE BANK ACCOUNT UPON WHICH YOU

☐ MAY DRAW CHECKS.

☐ NOT GAMBLE OR ENGAGE IN BOOKMAKING ACTIVITIES OR HAVE PARAPHERNALIA THEREOF IN POSSESSION, AND NOT BE PRESENT IN

☐ PLACES WHERE GAMBLING OR BOOKMAKING IS CONDUCTED.

☐ NOT ASSOCIATE WITH

☐ COOPERATE WITH PROBATION OFFICER IN A PLAN FOR

☐ SUPPORT DEPENDENTS AS DIRECTED BY PROBATION OFFICER.

☐ SEEK AND MAINTAIN TRAINING, SCHOOLING OR EMPLOYMENT AS APPROVED BY PROBATION OFFICER.

☐ MAINTAIN RESIDENCE AS APPROVED BY PROBATION OFFICER.

☐ SURRENDER DRIVER'S LICENSE TO CLERK OF COURT TO BE RETURNED TO DEPARTMENT OF MOTOR VEHICLES.

☐ NOT DRIVE A MOTOR VEHICLE UNLESS LAWFULLY LICENSED AND INSURED.

☐ NOT OWN, USE OR POSSESS ANY DANGEROUS OR DEADLY WEAPONS.

☐ SUBMIT PERSON AND PROPERTY TO SEARCH OR SEIZURE AT ANY TIME OF THE DAY OR NIGHT BY ANY LAW ENFORCEMENT OFFICER

☐ WITH OR WITHOUT A WARRANT.

☐ OBEY ALL LAWS, ORDERS, RULES AND REGULATIONS OF THE PROBATION DEPARTMENT AND OF THE COURT.

☐ DEFENDANT GIVEN TOTAL CREDIT FOR *1* DAYS IN CUSTODY. ☐ DAYS ACTUAL CUSTODY AND ☐ DAYS GOOD TIME/WORK TIME

☐ SENTENCE/COUNTS TO RUN CONSECUTIVELY TO CONCURRENTLY WITH

☐ STAY OF EXECUTION OF *County Jail* GRANTED TO *1-27-90*

☐ ON MOTION OF PEOPLE, COUNTS

☐ COURT ADVISES DEFENDANT OF HIS APPEAL/PAROLE RIGHTS.

☐ "NOTICE RE CERTIFICATE OF REHABILITATION AND PARDON" GIVEN TO DEFENDANT.

☐ DEFENDANT TO PAY COSTS OF PROBATION SERVICES IN AMOUNT OF \$ *100*

☐ COURT FINDS THAT DEFENDANT DOES NOT HAVE THE PRESENT ABILITY TO PAY COSTS OF INCARCERATION/LEGAL SERVICES RENDERED/

☐ PROBATION SERVICES RENDERED.

☐ DEFENDANT IS REFERRED TO TREASURY/TAX COLLECTOR FOR FINANCIAL EVALUATION

☐ FURTHER ORDER AS FOLLOWS/ADDITIONAL CONDITIONS OF PROBATION

30 days in county jail

☐ SHERIFF IS ORDERED TO ALLOW DEFENDANT ☐ PHONE CALLS AT DEFENDANT'S OWN EXPENSE

☐ DEFENDANT FAILS TO APPEAR WITH/OUT SUFFICIENT EXCUSE

☐ BAIL, IF POSTED, FORFEITED/O.R. REVOKED. BENCH WARRANT ORDERED ISSUED/REISSUED/AND HELD UNTIL

☐ NO BAIL/BAIL FORFEIT AT \$

☐ DEFENDANT APPEARING BENCH WARRANT ORDERED RECALLED/QUASHED ☐ RECALL NO. ☐ WRITTEN ☐ ABSTRACT FILED

☐ REMANDED
☐ RELEASED

☐ BAIL
☐ O.R.

☐ BAIL EXON.
☐ O.R. DISCHARGED

☐ BOND NO. *BB-5-369212*
☐ ON PROBATION
☐ IN CUSTODY OTHER MATTER

MINUTES ENTERED
1-27-90
 COUNTY CLERK

3 P & S

100778 (REV. 6-87) 7-89

MINUTE ORDER